



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/727,255

12/03/2003

John Landau

449/117

4906

27538 7590 03/18/2009
GIBSON & DERNIER L.L.P.
900 ROUTE 9 NORTH
SUITE 504
WOODBIDGE, NJ 07095

EXAMINER

AL AUBAIDI, RASHA S

ART UNIT

PAPER NUMBER

2614

MAIL DATE

DELIVERY MODE

03/18/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/727,255	Applicant(s) LANDAU, JOHN	
	Examiner RASHA S. AL AUBAIDI	Art Unit 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 December 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

1. This in response to an RCE amendment filed 12/31/2008. No claims have been added. No claims have been canceled. Claims 1, 8 and 15 have been amended. Claims 1-25 are still pending in this application.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3, 5-8, 10, 12-18, 20, 22 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schuster et al. (US PAT # 6,804,224) in view of Ramasubramani et al (US PAT # 6,314,108)

Regarding claim 1, Schuster teaches in a telephony over data network system (see abstract and Fig. 2) having at least one originating gateway (reads on GTW 25, see col. 5, lines 55-57 and Fig. 2) and at least one terminating gateway (reads on GTW 35, see col. 7, lines 5-26 and Fig. 2), comprising: storing in association with different carriers (this can read on the information stored regarding the user and other information, such as information related to the local exchange carrier serving that user, see col. 5, lines 29 through col. 6, lines 1-10) at least an indicia (this is inherent if not obvious, especially in system such as the one taught by Schuster) in a storage (reads

Art Unit: 2614

on database 60, see Fig. 1 and corresponding text) medium accessible to said originating gateway (GTW 25); and if said stored indicia matches data associated with said call, connecting said call a carrier corresponding to the assigned indicia (co. 5, lines 29-45 and Fig. 6 and corresponding text).

Schuster does not specifically teach “a method of adapting said originating gateway to operate with more than one carrier” as recited in claim 1. Also, Schuster does not specifically teach storing “at least two indicia” and “comparing said stored indicia to data associated with an incoming call”

However, Ramasubramani teaches a centralized network access for wireless network carriers. The invention provides network gateway that communicates with a plurality of wireless network carriers (see Fig. 2 and col. 2, lines 60-61). Note in an invention such as the one taught by Ramasubramani, the gateway must identify which carrier servicing that user.

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of having the gateway determining the assigned carrier, as taught by Ramasubramani into Schuster’s system in order to enhance the efficiency of routing calls to the right and desired carrier. Needless to say this will provide speed and it will improve the system and method of call routing overall. For the claimed feature of “storing two indicia” this is believes to be a design choice,

Art Unit: 2614

since having one indicia would serve the same purpose as having two. One of an ordinary skill in the art may choose to store different type of information in table to server any desired purpose. Also, for the claimed feature of "comparing said stored indicia to data associated with an incoming call" this can be obvious especially if trying to determine which carrier is serving the user and what type of services are authorized for that user. The claimed feature of "said carrier server having data associated with said calling party" is taught in the Schuster's system (see element 62 in Fig. 1).

Claims 3, 5-6, 8, 10, 12-13, 15-18, 20 and 22 are rejected for the same reasons as discussed above with respect to claim 1.

For claims 7 and 14, the claimed feature of "assigning performed by a system gateway administrator" this is obvious and well known in the art.

3. Claims 2, 4, 9, 11, 19, 21, 23 and 25 rejected under 35 U.S.C. 103(a) as being unpatentable over Schuster et al. (US PAT # 6,804,224) in view of Ramasubramani et al. (US PAT # 6,507,589) and further in view of Olshansky et al. (US PAT # 7,239,629).

For claims 2, 9, 19 and 21, the combination of Schuster and Ramasubramani does not specifically teach the use of "IVR script".

Art Unit: 2614

However, Olshansky teaches the use of an IVR that interacts with a calling party (see col. 6, lines 6-10).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of an IVR that interacts with a user/caller, as taught by Olshansky, into the combination of Schuster in view of Ramasubramani in order to provide speed and convenience when gathering and collecting information from a caller.

For claims 4 and 11 that recites the use of “a PIN”, see col. 6, lines 11-12 of Olshansky.

Claim 23 recites “a method of routing a signal onto a network comprising examining the signal to determine if MA functions can be assumed to have already been accomplished, if so, accepting the call, if not, examining the signal to ascertain a third party entity which can perform said AAA functions, and signaling said ascertained third party to perform said MA functions” see Olshansky col. 4, lines 53-60.

Claim 25 limitations are obvious and well known in the art.

Response to Arguments

Art Unit: 2614

4. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rasha S AL-Aubaidi whose telephone number is (571) 272-7481. The examiner can normally be reached on Monday-Friday from 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (571) 272-7488.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Rasha S AL-Aubaidi/

Primary Examiner, Art Unit 2614